

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christian Foisy Appln. No.: 10/618,455 Patent No.: 7,243,285 Filed: July 10, 2003 Issued: July 10, 2007 Examiner: Stephen M. Baker Art Unit: 2133 Customer No.: 23696 Confirm. No.: 3859 Docket No.: 091811U1	<u>Certificate of Transmission/Mailing</u> I hereby certify that this correspondence is being transmitted to the USPTO, transmitted via the Office electronic filing system addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below: <i>June 16, 2010 Julie Taylor Clough</i> Date
---	--

COMMUNICATION UNDER 37 CFR § 1.28(c)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants previously paid fees as a small entity, but such fees should have been paid as a large entity. Pursuant to 37 C.F.R. § 1.28(c)(2), Applicants submit payment of the deficiency between the amount of the fee paid as a small entity and the amount that is now due as a large entity. Pursuant to the requirements of 37 CFR § 1.28(c)(2)(i) and (ii), attached as Appendix A is the calculation of the deficiency owed and itemization of the deficiency payment.

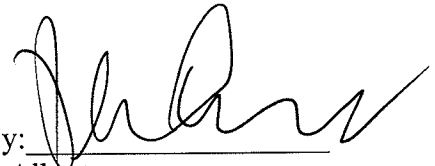
Docket No. 091811U1
Customer No. 23696

The Commissioner is authorized to charge Deposit Account 20-1430 in the amount of \$4668, the amount of the fee deficiency as calculated on the attached Appendix A. The Commissioner is hereby authorized to charge payment of any other fee deficiency associated with this communication or credit any overpayment to Deposit Account No. 20-1430.

As shown on the attached Appendix B, Applicants submit that the error occurred inadvertently. Applicants request a notice acknowledging that any error arising from fee deficiencies is excused in this application.

The Examiner is invited to call the undersigned agent if there are any questions.

Respectfully submitted,



By: _____

Philip H. Albert
Reg. No. 35,819

Dated: June 16, 2010

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
PHA:jtc
62682631 v1

Docket No. 091811U1
Customer No. 23696

APPENDIX A

Document	Small Entity Fee Erroneously Paid/Date	(Current) Large Entity Fee Amount	Deficiency Amount Owed
Filing Fee; previously paid on July 10, 2003 as small entity	\$1021	\$4354 (42 excess claims, 6 excess independent claims	\$980-\$450 = \$530
Missing Parts surcharge, previously paid on January 12, 2004 as small entity	\$65	\$130	\$130-\$65 = \$65
3 mo. ext. of time, previously paid on July 28, 2005 as small entity	\$510	\$1110	\$1110-\$510 = \$600
1 mo. ext. of time, previously paid on March 20, 2006 as small entity	\$60	\$130	\$130-\$60 = \$70
3 mo. ext. of time, previously paid on December 27, 2006 as small entity	\$510	\$1110	\$1110-\$510 = \$600
		TOTAL DUE	\$4668

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Christian Foisy

Patent No.: 7,243,285

Issued: July 10, 2007

Application No.: 10/618,455

Filed: July 10, 2003

For: SYSTEMS AND METHODS FOR
BROADCASTING INFORMATION
ADDITIVE CODES

Customer No.: 23696

Confirmation No.: 3859

Examiner: Stephen M. Baker

Art Unit: 2133

DECLARATION

OF

PHILIP H. ALBERTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

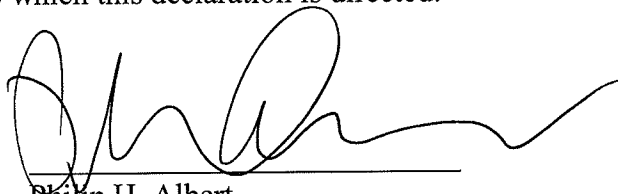
I, Philip H. Albert, hereby declare the following to be true:

1. I am a partner at Townsend and Townsend and Crew LLP ("Townsend").
2. Townsend was tasked with preparing and filing the above-cited patent application.
3. Prior to the filing date of July 10, 2003, it is possible that the assignee of the present application may have had a licensing agreement with an entity that would not qualify as a small entity and the present application may or may not be covered by the terms of the licensing agreement.
4. Upon review of our files, there does not appear to have been any intent to deceive the U.S. Patent and Trademark Office as to the actual entity status of the assignee at the

time of paying the filing fee or any definitive indication of events that would have caused the loss of entitlement to claim small entity status prior to payment of the filing fee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and the these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon, or any patent to which this declaration is directed.

Dated: June 16, 2010



Philip H. Albert
Reg. No. 35,819

62294032 v1